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April 2, 2017

*By Electronic Filing*

Hon. Lorna G. Schofield  
United States District Court  
Southern District of New York  
500 Pearl Street  
New York, NY 10007

Re: *International Cards Company, Ltd. v. MasterCard International Inc.*,  
No. 13-cv-2576 (LGS) (SN)

Dear Judge Schofield:

Mastercard writes to clarify its intentions regarding three documents that it discussed in its March 31, 2017 letter to the Court regarding ICC's objections to Mastercard's use of documents during its cross examination of Khalil Alami.

1. D.E. 1 (ICC Complaint) and D.E. 14 (ICC Second Amended Complaint)

While Mastercard submits that it should be able to use certain statements in D.E. 1 (ICC Complaint) and D.E. 14 (ICC Second Amended Complaint) as ICC admissions during its cross examination of Khalil Alami, Mastercard does not intend to offer either of these documents into evidence.

2. December 9, 2014 Letter from D. Cavaleri to M.J. Netburn re: Late Payment Spreadsheets

Similarly, while Mastercard submits that it should be able to use certain statements in the December 9, 2014 letter from ICC counsel Damian Cavaleri to Magistrate Judge Netburn regarding the Late Payment Spreadsheets as ICC admissions during its cross examination of Khalil Alami, Mastercard does not intend to offer this document into evidence.

Respectfully,

/s/ Jay N. Fastow

Jay N. Fastow

cc: All Counsel of Record by ECF